

LEGISLATURE OF NEBRASKA
NINETY-NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 643

Introduced by Brashear, 4

Read first time January 19, 2005

Committee: Judiciary

A BILL

1 FOR AN ACT relating to fees; to amend sections 25-1031.02, 33-103,
2 33-106, 33-106.02, 33-107.01, 33-123, 33-124, 33-125,
3 33-126.02, 33-126.03, 33-126.05, 33-126.06, and 33-156,
4 Reissue Revised Statutes of Nebraska, and sections 24-703
5 and 25-2804, Revised Statutes Supplement, 2004; to change
6 certain court fees as prescribed; and to repeal the
7 original sections.

8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 24-703, Revised Statutes Supplement,
2 2004, is amended to read:

3 24-703. (1) Each original member shall contribute
4 monthly four percent of his or her monthly compensation to the fund
5 until the maximum benefit as limited in subsection (1) of section
6 24-710 has been earned. It shall be the duty of the Director of
7 Administrative Services in accordance with subsection (10) of this
8 section to make a deduction of four percent on the monthly payroll
9 of each original member who is a judge of the Supreme Court, a
10 judge of the Court of Appeals, a judge of the district court, a
11 judge of a separate juvenile court, a judge of the county court, a
12 clerk magistrate of the county court who was an associate county
13 judge and a member of the fund at the time of his or her
14 appointment as a clerk magistrate, or a judge of the Nebraska
15 Workers' Compensation Court showing the amount to be deducted and
16 its credit to the fund. The Director of Administrative Services
17 and the State Treasurer shall credit the four percent as shown on
18 the payroll and the amounts received from the various counties to
19 the fund and remit the same to the director in charge of the judges
20 retirement system who shall keep an accurate record of the
21 contributions of each judge.

22 (2) (a) Beginning on July 1, 2004, each future member who
23 has not elected to make contributions and receive benefits as
24 provided in section 24-703.03 shall contribute monthly six percent
25 of his or her monthly compensation to the fund until the maximum
26 benefit as limited in subsection (2) of section 24-710 has been
27 earned. After the maximum benefit as limited in subsection (2) of
28 section 24-710 has been earned, such future member shall make no

1 further contributions to the fund, except that any time the maximum
2 benefit is changed, a future member who has previously earned the
3 maximum benefit as it existed prior to the change shall contribute
4 monthly six percent of his or her monthly compensation to the fund
5 until the maximum benefit as changed and as limited in subsection
6 (2) of section 24-710 has been earned.

7 (b) Beginning on July 1, 2004, a judge who first serves
8 as a judge on or after such date or a future member who elects to
9 make contributions and receive benefits as provided in section
10 24-703.03 shall contribute monthly eight percent of his or her
11 monthly compensation to the fund until the maximum benefit as
12 limited by subsection (2) of section 24-710 has been earned. After
13 the maximum benefit as limited in subsection (2) of section 24-710
14 has been earned, such judge or future member shall contribute
15 monthly four percent of his or her monthly compensation to the fund
16 for the remainder of his or her active service.

17 (c) It shall be the duty of the Director of
18 Administrative Services to make a deduction on the monthly payroll
19 of each such future member who is a judge of the Supreme Court, a
20 judge of the Court of Appeals, a judge of the district court, a
21 judge of a separate juvenile court, a judge of the county court, a
22 clerk magistrate of the county court who was an associate county
23 judge and a member of the fund at the time of his or her
24 appointment as a clerk magistrate, or a judge of the Nebraska
25 Workers' Compensation Court showing the amount to be deducted and
26 its credit to the fund. This shall be done each month. The
27 Director of Administrative Services and the State Treasurer shall
28 credit the amount as shown on the payroll and the amounts received

1 from the various counties to the fund and remit the same to the
2 director in charge of the judges retirement system who shall keep
3 an accurate record of the contributions of each judge.

4 (3) A Nebraska Retirement Fund for Judges fee of five
5 dollars shall be taxed as costs in each (a) civil cause of action,
6 criminal cause of action, traffic misdemeanor or infraction, and
7 city or village ordinance violation filed in the district courts,
8 and the county courts, and the separate juvenile courts (b) filing
9 in the district court of an order, award, or judgment of the
10 Nebraska Workers' Compensation Court or any judge thereof pursuant
11 to section 48-188, (c) appeal or other proceeding filed in the
12 Court of Appeals, and (d) original action, appeal, or other
13 proceeding filed in the Supreme Court. In county courts a sum
14 shall be charged which is equal to ten percent of each fee provided
15 by sections 33-125, 33-126.02, 33-126.03, and 33-126.06, rounded to
16 the nearest even dollar. No judges retirement fee shall be charged
17 for filing a report pursuant to sections 33-126.02 and 33-126.06.
18 When collected by the clerk of the district or county court, such
19 fees shall be paid to the director in charge of the judges
20 retirement system on forms prescribed by the board by the clerk
21 within ten days after the close of each calendar quarter. Such
22 director shall promptly thereafter remit the same to the State
23 Treasurer for credit to the fund. No Nebraska Retirement Fund for
24 Judges fee which is uncollectible for any reason shall be waived by
25 a county judge as provided in section 29-2709.

26 (4) All expenditures from the fund shall be authorized by
27 voucher in the manner prescribed in section 24-713. The fund shall
28 be used for the payment of all annuities and other benefits and for

1 the expenses of administration.

2 (5) The fund shall consist of the total fund as of
3 December 25, 1969, the contributions of members as provided in this
4 section, all supplementary court fees as provided in subsection (3)
5 of this section, and any required contributions of the state.

6 (6) Not later than January 1 of each year, the State
7 Treasurer shall transfer to the fund the amount certified by the
8 board as being necessary to pay the cost of any benefits accrued
9 during the fiscal year ending the previous June 30 in excess of
10 member contributions for that fiscal year and court fees as
11 provided in subsection (3) of this section, if any, for that fiscal
12 year plus any required contributions of the state as provided in
13 subsection (9) of this section.

14 (7) Benefits under the retirement system to members or to
15 their beneficiaries shall be paid from the fund.

16 (8) Any member who is making contributions to the fund on
17 December 25, 1969, may, on or before June 30, 1970, elect to become
18 a future member by delivering written notice of such election to
19 the board.

20 (9) Not later than January 1 of each year, the State
21 Treasurer shall transfer to the fund an amount, determined on the
22 basis of an actuarial valuation as of the previous June 30 and
23 certified by the board, to fully fund the unfunded accrued
24 liabilities of the retirement system as of June 30, 1988, by level
25 payments up to January 1, 2000. Such valuation shall be on the
26 basis of actuarial assumptions recommended by the actuary, approved
27 by the board, and kept on file with the board. For the fiscal year
28 beginning July 1, 2002, and each fiscal year thereafter, the

1 actuary for the board shall perform an actuarial valuation of the
2 system using the entry age actuarial cost method. Under this
3 method, the actuarially required funding rate is equal to the
4 normal cost rate, plus the contribution rate necessary to amortize
5 the unfunded actuarial accrued liability on a level payment basis.
6 The normal cost under this method shall be determined for each
7 individual member on a level percentage of salary basis. The
8 normal cost amount is then summed for all members. The initial
9 unfunded actual accrued liability as of July 1, 2002, if any, shall
10 be amortized over a twenty-five-year period. During each
11 subsequent actuarial valuation, changes in the funded actuarial
12 accrued liability due to changes in benefits, actuarial
13 assumptions, the asset valuation method, or actuarial gains or
14 losses shall be measured and amortized over a twenty-five-year
15 period beginning on the valuation date of such change. If the
16 unfunded actuarial accrued liability under the entry age actuarial
17 cost method is zero or less than zero on an actuarial valuation
18 date, then all prior unfunded actuarial accrued liabilities shall
19 be considered fully funded and the unfunded actuarial accrued
20 liability shall be reinitialized and amortized over a
21 twenty-five-year period as of the actuarial valuation date. If the
22 actuarially required contribution rate exceeds the rate of all
23 contributions required pursuant to the Judges Retirement Act, there
24 shall be a supplemental appropriation sufficient to pay for the
25 differences between the actuarially required contribution rate and
26 the rate of all contributions required pursuant to the Judges
27 Retirement Act.

28 (10) The state or county shall pick up the member

1 contributions required by this section for all compensation paid on
2 or after January 1, 1985, and the contributions so picked up shall
3 be treated as employer contributions in determining federal tax
4 treatment under the Internal Revenue Code as defined in section
5 49-801.01, except that the state or county shall continue to
6 withhold federal income taxes based upon these contributions until
7 the Internal Revenue Service or the federal courts rule that,
8 pursuant to section 414(h) of the code, these contributions shall
9 not be included as gross income of the member until such time as
10 they are distributed or made available. The state or county shall
11 pay these member contributions from the same source of funds which
12 is used in paying earnings to the member. The state or county
13 shall pick up these contributions by a compensation deduction
14 through a reduction in the compensation of the member. Member
15 contributions picked up shall be treated for all purposes of the
16 Judges Retirement Act in the same manner and to the extent as
17 member contributions made prior to the date picked up.

18 Sec. 2. Section 25-1031.02, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 25-1031.02. (1) The party seeking garnishment shall
21 advance the costs of transcript and docketing the matter in the
22 district court.

23 (2) The district court shall be entitled to the
24 following fee in civil matters: For issuance of a writ of
25 execution, restitution, garnishment, attachment, and examination in
26 aid of execution, a fee of ~~five~~ ten dollars each.

27 Sec. 3. Section 25-2804, Revised Statutes Supplement,
28 2004, is amended to read:

1 25-2804. (1) Actions in the Small Claims Court shall be
2 commenced by the filing of a claim, personally or by mail, by the
3 plaintiff on a form provided by the clerk of a county court. The
4 claim form shall be executed by the plaintiff in the presence of a
5 judge, a clerk or deputy or assistant clerk of a county court, or a
6 notary public or other person authorized by law to take
7 acknowledgments. If not filed in person, the claim form and
8 appropriate fees shall be mailed by the plaintiff to the court of
9 proper jurisdiction.

10 (2) At the time of the filing of the claim, the plaintiff
11 shall pay a fee of ~~five dollars~~ six dollars and twenty-five cents
12 to the clerk.

13 (3) Upon filing of a claim in the Small Claims Court, the
14 court shall set a time for hearing and shall cause notice to be
15 served upon the defendant. Notice shall be served not less than
16 five days before the time set for hearing. Notice shall consist of
17 a copy of the complaint and a summons directing the defendant to
18 appear at the time set for hearing and informing the defendant that
19 if he or she fails to appear, judgment will be entered against him
20 or her. Notice shall be served in the manner provided for service
21 of a summons in a civil action. If the notice is to be served by
22 certified mail, the clerk shall provide the plaintiff with written
23 instructions, prepared and provided by the State Court
24 Administrator, regarding the proper procedure for service by
25 certified mail. The cost of service shall be paid by the
26 plaintiff, but such cost and filing fee shall be added to any
27 judgment given the plaintiff.

28 (4) The defendant may file a setoff or counterclaim. Any

1 setoff or counterclaim shall be filed and a copy delivered to the
2 plaintiff at least two days prior to the time of trial. If the
3 setoff or counterclaim exceeds the jurisdictional limits of the
4 Small Claims Court as established pursuant to section 25-2802, the
5 court shall cause the entire matter to be transferred to the
6 regular county court docket and set for trial.

7 (5) No prejudgment actions for attachment, garnishment,
8 replevin, or other provisional remedy may be filed in the Small
9 Claims Court.

10 (6) All forms required by this section shall be
11 prescribed by the Supreme Court. The claim form shall provide for
12 the names and addresses of the plaintiff and defendant, a concise
13 statement of the nature, amount, and time and place of accruing of
14 the claim, and an acknowledgment for use by the person in whose
15 presence the claim form is executed and shall also contain a brief
16 explanation of the Small Claims Court procedure and methods of
17 appeal therefrom.

18 (7) Judgments rendered against a defendant in his or her
19 absence may not be set aside but may only be appealed as governed
20 by section 25-2807.

21 Sec. 4. Section 33-103, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 33-103. At the time of filing an appeal, original
24 action, or other proceeding in the Court of Appeals or Supreme
25 Court there shall be paid to the clerk the sum of ~~fifty~~ one hundred
26 dollars as a docket fee.

27 The clerk shall charge fees for copies of documents and
28 certificates at the rate provided in section 25-1280.

1 Sec. 5. At the time of filing a petition for further
2 review to the Supreme Court from the Court of Appeals there shall
3 be paid to the clerk the sum of fifty dollars as a docket fee in
4 lieu of any other filing fees.

5 Sec. 6. Section 33-106, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 33-106. (1) In addition to the judges retirement fund
8 fee and the fee provided in section 33-106.03 and except as
9 otherwise provided by law, the fees of the clerk of the district
10 court shall be as follows: There shall be a docket fee of ~~forty~~
11 forty-two dollars for each civil and criminal case except (a) a
12 case commenced by filing a transcript of judgment as hereinafter
13 provided, (b) proceedings under the Nebraska Workers' Compensation
14 Act and the Employment Security Law, when provision is made for the
15 fees that may be charged, and (c) a criminal case appealed to the
16 district court from any court inferior thereto as hereinafter
17 provided. There shall be a docket fee of twenty-five dollars for
18 each case commenced by filing a transcript of judgment from another
19 court in this state for the purpose of obtaining a lien. There
20 shall be a docket fee of ~~twenty-five~~ twenty-seven dollars for each
21 criminal case appealed to the district court from any court
22 inferior thereto.

23 (2) In all cases, other than those appealed from an
24 inferior court or original filings which are within jurisdictional
25 limits of an inferior court and when a jury is demanded in district
26 court, the docket fee shall cover all fees of the clerk, except
27 that the clerk shall be paid for each copy or transcript ordered of
28 any pleading, record, or other paper and that the clerk shall be

1 entitled to a fee of fifteen dollars for making a complete record
2 of a case.

3 (3) The fee for making a complete record of a case shall
4 be taxed as a part of the costs of the case, except when expressly
5 waived by the parties to the action. In a Title IV-D case, in a
6 case filed pursuant to sections 25-2301 to 25-2310, or in a case
7 filed by a county attorney, the fee for making a complete record of
8 a case shall be waived. In all civil cases, except habeas corpus
9 cases in which a poverty affidavit is filed and approved by the
10 court, and for all other services, the docket fee or other fee
11 shall be paid by the party filing the case or requesting the
12 service at the time the case is filed or the service requested.

13 (4) For any other service which may be rendered or
14 performed by the clerk but which is not required in the discharge
15 of his or her official duties, the fee shall be the same as that of
16 a notary public but in no case less than one dollar.

17 Sec. 7. Section 33-106.02, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 33-106.02. The clerk of the district court of each
20 county shall not retain for his or her own use any fees, revenue,
21 perquisites, or receipts, fixed, enumerated, or provided in this or
22 any other section of the statutes of the State of Nebraska. The
23 clerk shall on or before the fifteenth day of each month make a
24 report to the county board, under oath, showing the different items
25 of such fees, revenue, perquisites, or receipts received, from
26 whom, at what time, and for what service, and the total amount
27 received by such officer since the last report, and also the amount
28 received for the current year. The clerk shall account for and pay

1 any fees, revenue, perquisites, or receipts not later than the
2 fifteenth day of the month following the calendar month in which
3 such fees, revenue, perquisites, or receipts were received in the
4 following manner: (1) Of the ~~forty-dollar~~ forty-two-dollar docket
5 fee imposed pursuant to section 33-106, ~~five~~ seven dollars shall be
6 transmitted to the State Treasurer ~~who shall deposit the same in~~
7 for credit to the General Fund; (2) of the twenty-seven-dollar
8 docket fee imposed for appeal of a criminal case to the district
9 court pursuant to section 33-106, two dollars shall be transmitted
10 to the State Treasurer for credit to the General Fund; and ~~(2)~~ (3)
11 the remaining fees, revenue, perquisites, or receipts shall be
12 credited to the general fund of the county.

13 Sec. 8. Section 33-107.01, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 33-107.01. A legal services fee of five dollars and
16 twenty-five cents shall be taxed as costs in each case filed in
17 each separate juvenile court and district court, including appeals
18 to such courts, and on each case filed in each county court.
19 ~~except those filed in county court pursuant to its jurisdiction~~
20 ~~under subdivision (5) of section 24-517 or section 25-2802.~~ A
21 legal services fee of five dollars and twenty-five cents shall be
22 taxed as costs for each appeal and original action filed in the
23 Court of Appeals and the Supreme Court. Such fees shall be
24 remitted to the State Treasurer on forms prescribed by the State
25 Treasurer within ten days after the close of each month for credit
26 to the Legal Aid and Services Fund.

27 Sec. 9. Section 33-123, Reissue Revised Statutes of
28 Nebraska, is amended to read:

1 33-123. The county court shall be entitled to the
2 following fees in civil matters: For any and all services rendered
3 up to and including the judgment or dismissal of the action other
4 than for a domestic relations matter, ~~eighteen~~ twenty dollars, and
5 for any and all services rendered up to and including the judgment
6 or dismissal of a domestic relations matter, forty dollars; for
7 filing a foreign judgment or a judgment transferred from another
8 court in this state, ~~fifteen~~ seventeen dollars; and for writs of
9 execution, writs of restitution, garnishment, and examination in
10 aid of execution, ~~five~~ ten dollars each.

11 Sec. 10. Section 33-124, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 33-124. In criminal matters, including preliminary and
14 juvenile hearings, the county court shall receive, for any and all
15 services rendered up to and including the judgment or dismissal of
16 the action and the issuance of mittimus or discharge to the jailer,
17 the sum of ~~eighteen~~ twenty dollars.

18 Sec. 11. Section 33-125, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 33-125. In probate matters the county court shall be
21 entitled to receive the following fees: (1) For probate
22 proceedings commenced and closed informally, ~~twenty~~ twenty-two
23 dollars, for each petition or application filed within the informal
24 proceedings, ~~twenty~~ twenty-two dollars, and for any other
25 proceeding under the Nebraska Probate Code for which no court fee
26 is established by statute, ~~twenty~~ twenty-two dollars. The fees
27 assessed under this subdivision shall not exceed the fees which
28 would be assessed for a formal probate under subdivision (2) of

1 this section; and (2) for probate proceedings commenced or closed
2 formally: When the value does not exceed one thousand dollars,
3 twenty dollars; when the value exceeds one thousand dollars and is
4 not more than two thousand dollars, thirty dollars; when the value
5 exceeds two thousand dollars and is not more than five thousand
6 dollars, fifty dollars; when the value exceeds five thousand
7 dollars and is not more than ten thousand dollars, seventy dollars;
8 when the value exceeds ten thousand dollars and is not more than
9 twenty-five thousand dollars, eighty dollars; when the value
10 exceeds twenty-five thousand dollars and is not more than fifty
11 thousand dollars, one hundred dollars; when the value exceeds fifty
12 thousand dollars and is not more than seventy-five thousand
13 dollars, one hundred twenty dollars; when the value exceeds
14 seventy-five thousand dollars and is not more than one hundred
15 thousand dollars, one hundred sixty dollars; when the value exceeds
16 one hundred thousand dollars and is not more than one hundred
17 twenty-five thousand dollars, two hundred twenty dollars; when the
18 value exceeds one hundred twenty-five thousand dollars and is not
19 more than one hundred fifty thousand dollars, two hundred fifty
20 dollars; when the value exceeds one hundred fifty thousand dollars
21 and is not more than one hundred seventy-five thousand dollars, two
22 hundred seventy dollars; when the value exceeds one hundred
23 seventy-five thousand dollars and is not more than two hundred
24 thousand dollars, three hundred dollars; when the value exceeds two
25 hundred thousand dollars and is not more than three hundred
26 thousand dollars, three hundred fifty dollars; when the value
27 exceeds three hundred thousand dollars and is not more than four
28 hundred thousand dollars, four hundred dollars; when the value

1 exceeds four hundred thousand dollars and is not more than five
2 hundred thousand dollars, five hundred dollars; when the value
3 exceeds five hundred thousand dollars and is not more than seven
4 hundred fifty thousand dollars, six hundred dollars; when the value
5 exceeds seven hundred fifty thousand dollars and is not more than
6 one million dollars, seven hundred dollars; when the value exceeds
7 one million dollars and is not more than two million five hundred
8 thousand dollars, eight hundred dollars; when the value exceeds two
9 million five hundred thousand dollars and is not more than five
10 million dollars, one thousand dollars; and on all estates when the
11 value exceeds five million dollars, one thousand five hundred
12 dollars.

13 The fees prescribed in subdivision (2) of this section
14 shall be based on the gross value of the estate, including both
15 real and personal property in the State of Nebraska at the time of
16 death. The gross value shall mean the actual value of the estate
17 less liens and joint tenancy property. Formal fees shall be
18 charged in full for all services performed by the court, and no
19 additional fees shall be charged for petitions, hearing, and orders
20 in the course of such administration. The court shall provide one
21 certified copy of letters of appointment without charge. In other
22 cases when it is necessary to copy instruments, the county court
23 shall be allowed the fees provided in section 33-126.05. In all
24 cases when a petition for probate of will or appointment of an
25 administrator, special administrator, personal representative,
26 guardian, or trustee or any other petition for an order in probate
27 matters is filed and no appointment is made or order entered and
28 the cause is dismissed, the fee shall be ten dollars.

1 Sec. 12. Section 33-126.02, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 33-126.02. In matters of guardianship and
4 conservatorship, the county court shall be entitled to receive the
5 following fees: Upon the filing of a petition for the appointment
6 of a guardian, ~~twenty~~ twenty-two dollars; upon the filing of a
7 petition for the appointment of a conservator, ~~twenty~~ twenty-two
8 dollars; upon the filing of one petition for a consolidated
9 appointment of both a guardian and conservator, ~~twenty~~ twenty-two
10 dollars; for the appointment of a successor guardian or
11 conservator, ~~twenty~~ twenty-two dollars; for the appointment of a
12 temporary guardian or temporary or special conservator, ~~twenty~~
13 twenty-two dollars; and for proceedings for a protective order in
14 the absence of a guardianship or conservatorship, ~~twenty~~ twenty-two
15 dollars. If there is more than one ward listed in a petition for
16 appointment of a guardian or conservator or both, only one filing
17 fee shall be assessed. While such guardianship or conservatorship
18 is pending, the court shall receive five dollars for filing and
19 recording each report. When the appointment of a custodian as
20 provided for in the Nebraska Uniform Transfers to Minors Act is
21 made, the county court shall be entitled to receive a fee of twenty
22 dollars.

23 Sec. 13. Section 33-126.03, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 33-126.03. In all matters for the determination of
26 inheritance tax under Chapter 77, article 20, the county court
27 shall be entitled to receive fees of ~~twenty~~ twenty-two dollars.
28 Fees under this section shall not be charged if fees have been

1 imposed pursuant to subdivision (2) of section 33-125. Except in
2 cases instituted by the county attorney, such fee shall be paid by
3 the person petitioning for such determination.

4 Sec. 14. Section 33-126.05, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 33-126.05. The county court shall be allowed the
7 following miscellaneous fees: For delayed birth registration, for
8 the entire proceedings, ten dollars; for depositing will for
9 safekeeping and indexing the same, two dollars; and for each use of
10 any credit card authorized by the court for any payment, ~~three~~ five
11 dollars. The legal fees for printing notices required by law to be
12 printed in some newspaper shall be allowed in addition to the fees
13 allowed in this section. For the following services performed by
14 the county court, it shall be entitled to receive the following
15 fees: For temporary restraining order in injunction, in the
16 absence of the district judge, five dollars; for appointment of
17 appraisers in condemnation proceedings, fifteen dollars, plus one
18 dollar for each additional parcel of land included in the petition
19 when there is more than one; and for certifying report of
20 appraisers to the county clerk or register of deeds and making
21 transcript of the same to the district court, one dollar per page.
22 In addition to the fees provided in sections 33-123 to 33-125, the
23 county court shall be entitled to the following fees: For
24 providing photocopies, twenty-five cents per page; and for
25 executing certificate and affixing the seal, one dollar.

26 Sec. 15. Section 33-126.06, Reissue Revised Statutes of
27 Nebraska, is amended to read:

28 33-126.06. The county court shall be entitled to collect

1 the following fees: For the registration of any trust, whether
2 testamentary or not, ~~twenty~~ twenty-two dollars; for each proceeding
3 initiated in county court concerning the administration and
4 distribution of trusts, the declaration of rights, and the
5 determination of other matters involving trustees and beneficiaries
6 of trusts, ~~twenty~~ twenty-two dollars; for the appointment of a
7 successor trustee, ~~twenty~~ twenty-two dollars; and for filing and
8 recording each report, five dollars.

9 Sec. 16. Section 33-156, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 33-156. (1) In addition to all other court costs
12 assessed according to law, an indigent defense fee of ~~two~~ three
13 dollars ~~and seventy-five cents~~ shall be taxed as costs for each
14 case filed in each county court and district court, including
15 appeals to such courts, and for each appeal and original action
16 filed in the Court of Appeals and the Supreme Court. The fees
17 shall be remitted to the State Treasurer on forms prescribed by the
18 State Treasurer within ten days after the end of the month. The
19 State Treasurer shall credit the fees to the Commission on Public
20 Advocacy Operations Cash Fund.

21 (2) In cases under the DNA Testing Act, costs shall be
22 paid as provided in such act.

23 Sec. 17. Original sections 25-1031.02, 33-103, 33-106,
24 33-106.02, 33-107.01, 33-123, 33-124, 33-125, 33-126.02, 33-126.03,
25 33-126.05, 33-126.06, and 33-156, Reissue Revised Statutes of
26 Nebraska, and sections 24-703 and 25-2804, Revised Statutes
27 Supplement, 2004, are repealed.